

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO,
CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF TUESDAY, MAY 20, 1980
AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:47 a.m. The meeting was recessed by Deputy Mayor Lowery at 11:46 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Lowery at 2:24 p.m. with Councilmembers Williams, Killea and Mayor Wilson not present. The meeting was reconvened by Mayor Wilson at 5:46 p.m. with Councilmembers Williams, Gotch and Stirling not present. The meeting was adjourned by Mayor Wilson at 5:47 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Lowery-present.

(4) Councilmember Williams-excused by R-251912 (attending Crime Prevention Workshop in Cheyenne, WY).

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Stirling-present.

(8) Councilmember Killea-present.

Clerk-Abdelnour (ra,eb)

May-20-1980 ITEM-300:

FILE: Minutes File

DESCRIPTION:

Mayor Wilson called the roll:

Mayor Wilson-present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Lowery-not present.

Councilmember Williams-not present.

Councilmember Schnaubelt-not present.

Councilmember Gotch-present.

Councilmember Stirling-present.

Councilmember Killea-present.

May-20-1980 ITEM-331:

FILE: MEET

DESCRIPTION:

(Continued from the Meeting of May 6, 1980 at Robert Conger's request.) Matter of REZONING a portion of SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M.

(approximately 12 acres), located on the east side of Dairy Mart Road between San Ysidro Boulevard and Vista Lane, in the San Ysidro Community Plan area from ZONE A-1-1 to ZONES CR and R-3. (DISTRICT-8) (CASE-48-80-3)

Subitem-A: (R-80-1997)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-01-20 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-80-290)

INTRODUCTION of an ORDINANCE for CR and R-2A Zoning.

COUNCIL ACTION: (Tape location: A038-470).

Subitem-A adopted as Resolution R-251873.

Subitem-B introduced, to be adopted June 2, 1980.

Hearing began at 8:49 a.m. Hearing halted at 9:19 a.m.

Testimony in favor by Mr. Conger.

Testimony in opposition by Thomas Daniels.

Mayor Wilson left at 8:58 a.m. Stirling assumed the chair.

Deputy Mayor Lowery entered at 9:07 a.m. and assumed the chair.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT (A) AND INTRODUCE (B).

Second by

Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-yea.

Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-332:

FILE: MEET

DESCRIPTION:

Matter of REZONING a portion of LOT 43, HIGHLANDS SUBDIVISION, MAP-284 (approximately 1.24 acres), located on the east side of Ruffner Street between Ronson Road and Engineer Road, in the Serra Mesa Community Plan Area, from ZONE R-1-20 to ZONE M-1A. (DISTRICT-5) (CASE-5-80-002)

Subitem-A: (R-80-2129)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-11-24P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-80-297)

INTRODUCTION of an ORDINANCE for M-1A Zoning.

COUNCIL ACTION: (Tape location: D423-554).

Subitem-A adopted as Resolution R-251874.

Subitem-B introduced, to be adopted June 2, 1980.

Hearing began at 11:26 a.m. Hearing began at 11:32 a.m.

Testimony in favor by Robert Cole.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT (A) AND INTRODUCE (B) FOR M- 1B

ZONING. Second by Cleator. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea.

Stirling-not present. Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-333:

FILE: MEET

DESCRIPTION:

Matter of REZONING a portion of PARCEL NO. 2, PARCEL MAP-6224 and a portion of PARCEL A, PARCEL MAP-7345 (approximately 5.9 acres), located on the west side of Rancho Penasquitos Boulevard between I-15 and Paseo Montrail, in the Penasquitos East Community Plan Area, from ZONES R-1-5 and CR to ZONE CA. (DISTRICT-1) (CASE-45-80-1)

Subitem-A: (R-80-2130)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-12-15 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and has been reviewed and considered by the Council.

Subitem-B: (O-80-298)

INTRODUCTION of an ORDINANCE for CA Zoning.

COUNCIL ACTION: (Tape location: D555-600).

Subitem-A adopted as Resolution R-251875.

Subitem-B introduced, to be adopted June 2, 1980.

Hearing began at 11:33 a.m. Hearing halted at 11:34 a.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT (A) AND INTRODUCE (B).

Second by

Killea. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-334:

FILE:

DESCRIPTION: Matter of ANNUAL REPORT from the San Diego Data Processing Corporation.

COUNCIL ACTION: (Tape location: D601-650).

Continued to October 20, 1980.

MOTION BY KILLEA TO CONTINUE TO OCTOBER 20, 1980, AT CITY MANAGER'S REQUEST.

Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-335:

FILE: PERM CCP-114

DESCRIPTION:

(R-80-) APPEAL of REBECCA A. BOYER from the decision of the PLANNING COMMISSION in APPROVING CONDOMINIUM CONVERSION PERMIT CCP-104, which proposes

the conversion of 160 existing apartment units (THE CALIFORNIAN) to condominiums. The subject property is located on the west side of Ashford Street between Armstrong Place and Mesa College Drive, in the R-3 ZONE, within the boundaries of the Clairemont Mesa Community Plan, and is more particularly described as LOTS 64 through 71, PUEBLO VISTA UNIT 2, MAP-5740. (DISTRICT-5) (CCP-104)

Today's action is adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

COUNCIL ACTION: (Tape location: F014-G430).

Appeal denied.

Hearing began at 2:24 p.m. Hearing halted at 3:42 p.m.

Killea entered at 2:45 p.m.

Testimony in favor by Jack Bizell, Leann Frances, Nancy Cannon, Helen Thomlin, Tim Ledgren, Eileen Garcia, Rick Foreman and Mel Shapiro.

Testimony in opposition by Pat Adler, Timothy Gwinn and Brian A. Reilly.

MOTION BY GOTCH TO GRANT THE APPEAL. Second by Mitchell. Defeated by the following vote: Mitchell-yea. Cleator-nay. Lowery-nay. Williams-not

present. Schnaubelt-nay. Gotch-yea. Stirling-nay. Killea-nay. Mayor Wilson-not present.

May-20-1980 ITEM-S500:

FILE: MEET

DESCRIPTION:

(O-80-306) Amending Ordinance No. O-12700 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 AND

APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID

FISCAL YEAR," by amending DOCUMENT NO. 766809, as adopted and amended therein, by TRANSFERRING the sum of \$235,500 from the UNEMPLOYMENT INSURANCE RESERVE

FUND (60-060) to the CAPITAL IMPROVEMENT PROJECT 34-036(80) for the purpose of funding CONSTRUCTION CONTRACTS for CIVIC THEATRE REHABILITATION.

(Introduced 5/19/80.)

COUNCIL ACTION: (Tape location: D651-695).

Adopted as Ordinance O-15266.

MOTION BY CLEATOR TO DISPENSE WITH THE READING AND ADOPT. Second by Gotch.

Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea.

Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present.

Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-S501:

FILE:

DESCRIPTION: (Continued from the Meeting of March 25, 1980, at the City Manager's request and Trailed as Unfinished Business from the Meeting of May 6, 1980. Continued from the Meeting of May 12, 1980 at the Army Corps of Engineers' request.)

Matter of the Recommended VERNAL POOL PRESERVATION Program.

NOTE: See City Manager Report CMR-80-140.

COUNCIL ACTION: (Tape location: B298-333).

Continued to June 16, 1980, 3:00 p.m., Time Certain.

MOTION BY STIRLING TO CONTINUE TO JUNE 16, 1980, 3:00 P.M., TIME CERTAIN, AT

CITY MANAGER'S REQUEST, WITH A REPORT TO COUNCIL ON JUNE 2, 1980. Second by

Killea. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-yea.

Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-S502:

FILE: LEAS San Ysidro Urban Council, Inc.

DESCRIPTION:

(R-80-2240) Authorizing the Executive Director of the HOUSING COMMISSION to EXTEND until September 30, 1980, the Exclusive Negotiation and Right-of-Entry Agreement with the San Ysidro Urban Council, Inc., for the 2-ACRE, SOUTHWESTERLY PORTION OF CITY-OWNED SITE 132; authorizing the Housing Commission to ACCEPT a GRANT DEED for the adjacent 1.66-ACRE PARCEL; authorizing the Housing Commission to negotiate and execute a NOT TO EXCEED 50-YEAR LEASE AGREEMENT with the San Ysidro Urban Council, Inc., for the purpose of implementing the COLONIA BARRIOS SENIOR HOUSING PROJECT.

NOTE: See Housing Commission Report HCR-80-008CC.

COUNCIL ACTION: (Tape location: D696-700 & E001-034).

Adopted as Resolution R-251876.

MOTION BY KILLEA TO ADOPT WITH DIRECTION TO HOUSING COMMISSION TO REPORT ON

THE NON-SENIOR HOUSING ASPECT AT THE HOUSING AUTHORITY MEETING OF TUESDAY, MAY

27, 1980. Second by Cleator. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-not present.

Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-not present.

May-20-1980 ITEM-NOTE-1:

FILE: MEET

DESCRIPTION:

Deputy Mayor Lowery welcomed students from White River Elementary School, White River, Arizona.

May-20-1980 ITEM-UC-2:

FILE: MEET

DESCRIPTION:

(R-80-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT: Authorizing payment of \$81.00 to Councilmember Killea for unscheduled travel to Las Vegas, Nevada, on March 7, 1980 for one-day tour of the City's disabled housing projects with staff members of the Housing Commission and Community Center for the Disabled, Inc. (Tape location: H385). Adopted as Resolution R-251877.

MOTION BY LOWERY TO ADOPT. Second by Cleator. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present.

Schnaubelt-yea. Gotch-not present. Stirling-not present. Killea-yea. Mayor Wilson-yea.

May-20-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

Meeting adjourned at 5:47 p.m.

May-20-1980

ITEM-330:

FILE: MEET

DESCRIPTION:

(Continued from the Meeting of May 6, 1980 at Councilman Mitchell's request.)

Proposal to AMEND CHAPTER X, ARTICLE 1, DIVISION 4 of the SAN DIEGO MUNICIPAL

CODE by AMENDING SECTION 101.0407 (R-1 ZONES) and SECTION 101.0409 (R-2 ZONES)

as follows:

- (a) - That rear yard dimensions be modified to allow for smaller rear yards;
and
- (b) - That lot coverage requirements be modified or eliminated to allow greater lot coverage.

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-02-46C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-80-246)

INTRODUCTION of an ORDINANCE amending Section 101.0407 relating to the R-1 ZONES.

Subitem-C: (O-80-247)

INTRODUCTION of an ORDINANCE amending Section 101.0409 relating to the R-2 ZONES.

Subitem-D: (R-80-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-79-02-46C. Hearing open, no testimony taken 5/6/80. Districts 1, 5, 7 and Mayor not present.

COMMITTEE ACTION:

Reviewed by TRANSPORTATION AND LAND USE COMMITTEE (TLU) on 4/16/80. Recommendation to INTRODUCE the Ordinance. Districts 2, 4 and 8 voted yea. District 6 voted nay. District 5 not present.

COUNCIL ACTION: (Tape location: A486-740, B334-690, C001-668, D001-416).

Subitem-A adopted as Resolution R-251871.

Subitem-B introduced, to be adopted June 2, 1980.

Subitem-C introduced, to be adopted June 2, 1980.

Subitem-D adopted as Resolution R-251872.

Hearing began at 9:20 a.m. Hearing halted at 9:50 a.m. Hearing began at 9:55 a.m. Hearing halted at 11:25 a.m.

Testimony in favor by Oliver Schutte, William Snow, Mike Reynolds, Joe Byron, Jr., Jim Williams, and Peter Rodi.

Testimony in opposition by Charles Carter-House, Merlin Osterhaus, Cecilia Carter-House, George White for Mrs. Warren, Ralph Kofoed, Ross Stockwell, Nancy Ward, Joe Bradley, Ruth Schneider, and Verna Quinn.

Motion by Mitchell to continue the item to secure an expert to answer questions regarding noise, safety, health, fire, etc. No second.

Motion by Mitchell to suspend rules to allow 25 minutes per side to speak.

Second by Killea. Passed by the following vote: Yeas-1,2,3,5,6,7,8.

Nays-None. Not present-4,M.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING ADOPT (A) & (D), AND INTRODUCE (B)

AND (C). Second by Stirling. Passed by the following vote: Mitchell-nay.

Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-nay.

Stirling-yea. Killea-yea. Mayor Wilson-not present.